

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

December 3, 2019 at 3:00 pm
Docket # 1-19-41508-ess

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In Re: Limane Houanche,

Hon. Elizabeth S. Stong

PROPOSED ORDER

Debtor.

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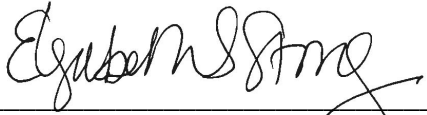
Upon the Debtor Limane Houanche's (hereinafter "Houanche") objection to Proofs of Claim of Capital One Equipment Finance Corp. (hereinafter "Capital One") to reclassify claim # 3 filed by it in the above-captioned chapter 13 case pursuant to section 502 under title 11 of the United States Code (the "Bankruptcy Code"), and Rule 3007 of the Federal Rules of Bankruptcy Procedures (the "Bankruptcy Rules"), for an order (i) reclassifying the secured claim and (ii) granting related relief, all as more fully set forth in the motion and the Bankruptcy Court having jurisdiction to consider the Objection and the relief requested therein; and venue being proper before this Bankruptcy Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the relief requested in the Objection having been provided, and it appearing that no other or further notice need be provided other than the notice of motion; and such notice having been adequate and appropriate under the circumstances, and it appearing that other or further notice need be provided; and the Bankruptcy Court having held a hearing to consider the relief requested in the Objection on ~~December 3, 2019~~ **January 6, 2020** (the "Hearing"); and upon the record of the Hearing, and upon all of the proceedings had before the Bankruptcy Court; and the Bankruptcy Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and is in the best interests of the Debtor, its estates, its creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. ~~The Objection is granted.~~
2. Pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, Claim # 3 filed by Capital One Equipment Finance Corp., is reclassified as a general unsecured claim.
3. Nothing herein shall otherwise constitute an admission or finding concerning the amount or validity of any of the claims.
4. The rights of the Debtor to object to all claims, in whole or in part, and on any basis, are specifically preserved.
5. The Debtor and the Clerk of this Bankruptcy Court are authorized to take all actions necessary or appropriate to give effect to this Order.
6. The terms and conditions of this Order are effective immediately upon entry.

**Dated: Brooklyn, New York
February 11, 2020**




Elizabeth S. Stong
United States Bankruptcy Judge